

REMARKS

This amendment is in response to the outstanding Official Action mailed October 22, 2003, the shortened statutory period for filing a response having expired on January 22, 2004. In this regard, Applicant submits herewith a three-month extension petition to reset the deadline for responding to the Official Action to and including April 22, 2004. In view of the above amendments and below remarks, reconsideration of the Examiner's rejection is respectfully requested.

The present application was previously allowed by the Examiner as evident from the Notice of Allowance dated February 24, 2003. Notwithstanding the foregoing, the application was withdrawn from issuance pursuant to 37 C.F.R. § 1.313(b). Subsequently, on October 22, 2003, an Official Action was received rejecting claims 1-16 and 19-23 as being anticipated under 35 U.S.C. § 102(b) by Sasse, United States Patent No. 5,903,991; and claims 8, 17 and 19 as being obvious under 35 U.S.C. § 103(a) over Sasse. In view of the below remarks, it will be shown that Sasse is not relevant to Applicant's claimed invention, and that the withdrawal of Applicant's application from issuance was in error.

The Examiner states that Sasse discloses a method for assembling a bracket from a kit including a plurality of components adapted to be assembled into a plurality of such brackets each of a different configuration, See Figs. 9, 10A-10B. The Examiner has misinterpreted Applicant's claimed invention and the teachings of Sasse, thereby improperly rejecting Applicant's claims. In this regard, there is no disclosure in Sasse of a bracket adapted to mount any device to one of a plurality of supporting surfaces each of a different configuration. Although Sasse discloses sign posts having different configurations, they are all limited to anchoring the sign post to a single supporting surface, that is, the ground as

expressly noted by the Examiner in the Official Action. There is no other teaching.

More specifically, every embodiment of the sign post disclosed in *Sasse* is intended only for anchoring the sign post to the ground by means of a pair of stakes 50 driven through two PVC pipes 48 attached to diagonally opposite inner corners of an anchor post member 20. See Figs. 6A, 6B, See Col. 4, lns. 1-28. Although the sign post *per se* may take different forms for attaching a signs 30, 44 thereto, the sign post of *Sasse* can still only be anchored to a single surface configuration, *i.e.*, the ground. There is absolutely no disclosure in *Sasse* of constructing a sign post to be attached to any other type of supporting surface. This is entirely contrary to Applicant's claimed invention. Applicant has amended certain claims to clarify this distinction over *Sasse*.

With reference to Applicant's claims, the claims are directed to a method of assembling a bracket from a plurality of components for mounting a device such as a computer display screen to a selected supporting surface or support which are of different configurations. Once the type of supporting surface or support configuration is ascertained, a plurality of bracket components are selected for assembling the components into a bracket which is adapted to be attached to the ascertained supporting surface or support configuration, See independent claims 1, 9, 17, 20 and 30. More specifically, the selected bracket configuration can be in the form of a mount selected from the group consisting of a clamp mount, a wall mount and a flat mount, See independent claims 7 and 16. Although *Sasse* discloses a sign post configuration adapted for anchoring the anchoring post member to a flat surface, *i.e.*, the ground, there is no disclosure of configuring the anchoring post member as a clamp mount or a wall mount as claimed by Applicant. In this regard, there is no discourse in *Sasse* of the anchoring post

member being adaptable for attachment to a vertical surface of a supporting surface, i.e., Applicant's claimed wall mount or an edge portion of a supporting surface, i.e., Applicant's claimed clamp mount, See independent claims 28, 29, 31 and 32.

From the foregoing, it is clear that Sasse is irrelevant to Applicant's claimed invention. In this regard, Sasse can only anchor its sign post to the ground by means of the two PVC pipes extending from the anchoring post member. There is no other possible configuration of the anchoring post member so as to accommodate a supporting surface of a different configuration such as claimed by Applicant. The fact that Sasse discloses that the sign post itself can take on different forms, See Figs. 10A-E, is irrelevant to Applicant's claimed invention. Contrary to the teachings of Sasse, Applicant's claimed invention provides a method of assembling a bracket from a plurality of components for mounting a device to one of a plurality of supporting surfaces or supports, each of a different configuration, e.g., a wall mount, a panel mount or a flat mount. This is not disclosed by Sasse whose sign post can only be anchored to a single supporting surface, i.e., the ground, as acknowledged by the Examiner. Hence, Sasse is irrelevant to Applicant's claimed invention and the rejection should be withdrawn.

Applicant submits herewith a Supplemental Information Disclosure Statement for consideration by the Examiner. In addition, the Examiner's attention is directed to Applicant's co-pending application Serial No. 09/406,531 of which the present application is a divisional. Applicant also submits a copy of an Official Action dated June 6, 2003 received in the '531 application.

In considering Applicant's within response, Applicant designates the rejected dependent claims as being allowable by virtue of their ultimate dependency upon submittedly allowable

independent claims. Although Applicant has not separately argued the patentability of each of the dependent claims, Applicant's failure to do so is not to be taken as an admission that the features of the dependent claims are not themselves separably patentable over the prior art cited by the Examiner.

As it is believed that all of the rejections set forth in the Official Action have been fully met, favorable reconsideration and allowance are earnestly solicited.

If, however, for any reason the Examiner does not believe that such action can be taken at this time, it is respectfully requested that he telephone Applicant's attorney at (908) 654-5000 in order to overcome any additional objections which he might have.

If there are any additional charges in connection with this requested amendment, the Examiner is authorized to charge Deposit Account No. 12-1095 therefor.

Dated: April 22, 2004

Respectfully submitted,

By 

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